federal register

Monday
October 24, 1988

Part LI

Federal Maritime Commission

Semiannual Regulatory Agenda

FEDERAL MARITIME COMMISSION (FMC)

FEDERAL MARITIME COMMISSION

46 CFR Ch. IV

Unified Regulatory Agenda

AGENCY: Federal Maritime Commission.

ACTION: Unified Agenda of Federal Regulations.

SUMMARY: Pursuant to section 5 of EO 12291 and the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Commission anticipates having under consideration during the period from October 1, 1988 to September 30, 1989 actions in the areas listed below.

FOR FURTHER INFORMATION CONTACT: For further information concerning Commission rulemaking proceedings or the status of any matter listed below, contact: Joseph C. Polking, Secretary, 1100 L Street, NW., Washington, DC 20573, (202) 523-5725.

SUPPLEMENTARY INFORMATION: Section 602 of the Regulatory Flexibility Act (5 U.S.C. 602) requires the publication of an agenda of items for which regulatory agencies may propose or promulgate a rule which is likely to have a significant economic impact on a substantial number of small entities. Section 5 of Executive Order 12291 also requires executive agencies to publish a regulatory agenda; the Commission voluntarily complies with this section. The agendas include information on regulatory activities being conducted or reviewed during the succeeding 12 months by the Commission.

The following is the Commission's Unified Regulatory Agenda. The agenda does not necessarily include all petitions for rulemakings which are under staff review.

In addition, the Commission maintains a compilation of the status of pending rulemaking proceedings and a listing of rules that have become final since the publication of the most recent regulatory agenda. This will be made available to the public, including the press and interested persons.

Joseph C. Polking,
Secretary.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3745	Costs of Proceedings	3072-AA45
3746	Automated Tariff Filing	3072-AA61
3747	Index of Documents for Agreements	3072-AA64
3748	User Fees to Recover Agency Costs	3072-AA70
3749	Independent Action - Miscellaneous Provisions	3072-AA83
3750	Rates Quoted Subject to Booking	3072-AA86
3751	Financial Reports of Vessel Operating Common Carriers by Water in the Domestic Offshore Trades	3072-AA93
3752	Service Contract Provisions; Most Favored Shippers and Liquidated Damages Clauses	3072-AA95
3753	Foreign-to-Foreign Agreements; Exemption	3072-AB03
3754	Cancellation of Tariffs for Failure to Either File Anti-Rebate Certifications or Publish Appropriate Notices in Tariffs	3072-AB09

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3755	Practices of Ocean Common Carriers Regarding Effective Date of Rate Changes - Docket No. 88-19	3072-AB04

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3756	Service Contract Regulation Amendment to Permit Correction of Clerical or Administrative Errors in Essential Terms--Docket No. 88-16	3072-AB08
3757	Interpretive Rule that Carriers or Conferences May Not Require Production of Justice Department Business Review Letter as Part of Service Contract Negotiation Process with Shippers Association	3072-AB10

FMC

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3758	Public Information - Freedom of Information Act	3072-AA12
3759	Information Required for Section 18 Study	3072-AA50
3760	Independent Action - Miscellaneous Provisions	3072-AA53
3761	Information Form for Agreements: Miscellaneous Amendments	3072-AA55
3762	Common and Contract Carriage - Miscellaneous Provision	3072-AA63
3763	Tariff Publication of Free Time and Detention Charges Applicable to Carrier Equipment Interchanged With Shippers or Their Agents (Docket 85-19)	3072-AA73
3764	Financial Responsibility of Passenger Vessel Operators for Non-Performance	3072-AA78
3765	Practices of Common Carriers Regarding Payment of Inland Divisions Petition for Rulemaking	3072-AA99
3766	Service Contracts - Most Favored Shipper and Liquidated Damages Provisions - Petition for Rulemaking	3072-AB00
3767	Section 16 Exemption of Agreement Between or Among Parent or Its Subsidiaries	3072-AB06
3768	Truck Detention Charges at West Coast Ports	3072-AB07
3769	Deletion of Requirements for Joinder of Conferences in Special Docket Applications and Other Changes to the Rules of Practice and Procedure -- Docket No. 88-10	3072-AB11
3770	Designation of Officer to Receive Petitions for Review of Commission Orders -- Docket No. 88-12	3072-AB12

FEDERAL MARITIME COMMISSION (FMC) — Prerule Stage

3745. COSTS OF PROCEEDINGS

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 1716; 46 USC app 1717(a)(4)

CFR Citation: 46 CFR 502

Legal Deadline: Other, Statutory, September 20, 1989.

Abstract: Section 18(a)(4) of the Shipping Act requires the Commission to collect and analyze data concerning the impact of the Act on the costs of major types of regulatory proceedings before the Commission. This action will provide the regulations needed to obtain this information.

Timetable:

Action	Date	FR Cite
End Review	06/00/89	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AA45

3746. AUTOMATED TARIFF FILING

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 816; 46 USC app 817; 46 USC app 841a; 46 USC app 1707; 46 USC app 1708; 46 USC app 1715; 46 USC app 1716; 46 USC app 1717

CFR Citation: 46 CFR 515; 46 CFR 550; 46 CFR 580

Legal Deadline: None

Abstract: The Commission is considering the development of a fully automated system whereby tariff matters can be made available to the public and to the Commission through automatic data processing in order to reduce paperwork and other burdens. An Industry Advisory Committee is assisting the Commission in the project.

Timetable:

Action	Date	FR Cite
Begin Review	09/01/84	
Notice of Intent to form Advisory Committee	04/12/85	50 FR 14453
Notice of Second Meeting	05/19/86	51 FR 18376
Notice of Third Meeting	10/21/86	51 FR 37347
Notice of Inquiry on System Functionality	12/22/87	52 FR 48504
Further Notice	06/13/88	53 FR 22048
End Review	01/00/89	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AA61

3747. INDEX OF DOCUMENTS FOR AGREEMENTS

Legal Authority: 5 USC 553; 46 USC app 1703 to 1706; 46 USC app 1709; 46 USC app 1712; 46 USC app 1714; 46 USC app 1716; 46 USC app 1717

CFR Citation: 46 CFR 572.704

Legal Deadline: None

Abstract: Section 572.704 of Title 46 Code of Federal Regulations requires agreement parties who are required to file minutes to maintain an index of certain reports, studies and documents used for certain decisions, and to file such an index quarterly with the Commission. This requirement is being considered along with requirements to file minutes and other reports and with record retention provisions.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	
End Review	05/00/89	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AA64

3748. USER FEES TO RECOVER AGENCY COSTS

Significance: Agency Priority

Legal Authority: 5 USC 552 to 553

CFR Citation: 46 CFR 503.43

Legal Deadline: None

Abstract: The Commission is reviewing existing fees for services in order to determine whether they are adequate to recover costs.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	
End Review	05/01/89	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AA70

3749. INDEPENDENT ACTION - MISCELLANEOUS PROVISIONS

Legal Authority: 5 USC 553; 46 USC app 1701 to 1707; 46 USC app 1709 to 1710; 46 USC app 1712; 46 USC app 1714 to 1717; 46 USC app 1718

CFR Citation: 46 CFR 572; 46 CFR 580

Legal Deadline: None

Abstract: Review would attempt to analyze certain conference practices to ensure that they do not unduly inhibit the right of individual members to take independent action as provided by the Shipping Act of 1984.

Timetable:

Action	Date	FR Cite
Begin Review	01/10/86	
End Review	06/01/89	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AA83

3750. RATES QUOTED SUBJECT TO BOOKING

Legal Authority: 5 USC 553; 46 USC app 812; 46 USC app 814 to 815; 46 USC app 817(a); 46 USC app 820; 46 USC app 833a; 46 USC app 841a; 46 USC app 843 to 847; 46 USC app 1702 to 1705; 46 USC app 1707; 46 USC app 1709; 46 USC app 1712; 46 USC app 1714 to 1716; 46 USC app 1718

CFR Citation: 46 CFR 550; 46 CFR 580

Legal Deadline: None

Abstract: Review would determine the necessity of regulations governing the parties of quoting rates subject to booking. Related to FMC Spec. Dkt. 1343.

Timetable:

Action	Date	FR Cite
Begin Review	02/14/86	
End Review	05/00/89	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AA86

3751. FINANCIAL REPORTS OF VESSEL OPERATING COMMON CARRIERS BY WATER IN THE DOMESTIC OFFSHORE TRADES

Legal Authority: 5 USC 553; 46 USC app 817(a); 46 USC app 820; 46 USC app 841a; 46 USC app 843; 46 USC app 844; 46 USC app 845a; 46 USC app 847

CFR Citation: 46 CFR 522

Legal Deadline: None

Abstract: Current rule providing for domestic rate-making and justification methodology is being reviewed to determine if requirements can be made less stringent.

Timetable:

Action	Date	FR Cite
Begin Review	01/09/86	
End Review	12/00/88	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AA93

3752. SERVICE CONTRACT PROVISIONS; MOST FAVORED SHIPPERS AND LIQUIDATED DAMAGES CLAUSES

Legal Authority: 5 USC 553; 46 USC app 1707(c)

CFR Citation: 46 CFR 580

Legal Deadline: None

Abstract: The Commission is reviewing the service contract regulations to determine the legality of permitting clauses involving liquidated damages or most favored shippers. Docket No. 88-7

Timetable:

Action	Date	FR Cite
Petition for rulemaking	01/22/87	52 FR 2443
Begin Review	01/22/87	52 FR 2443
Extend time for comments	02/11/87	52 FR 4384
NPRM	03/17/88	53 FR 8775
NPRM Comment Period End	05/02/88	53 FR 8775
End Review	11/00/88	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AA95

3753. FOREIGN-TO-FOREIGN AGREEMENTS; EXEMPTION

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 1701 to 1707; 46 USC app 1710; 46 USC app 1712; 46 USC app 1714 to 1717

CFR Citation: 46 CFR 572

Legal Deadline: None

Abstract: The action would exempt certain foreign-to-foreign agreements on contiguous trades from notice, waiting period, and information requirements of the Shipping Act of 1984. Docket No. 87-24.

FMC **Prerule Stage**

Timetable:

Action	Date	FR Cite
NPRM	12/08/87	52 FR 46501
NPRM Comment Period End	02/08/88	52 FR 46501
Final Action	09/00/88	
End Review	06/00/89	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AB03

3754. ● CANCELLATION OF TARIFFS FOR FAILURE TO EITHER FILE ANTI-REBATE CERTIFICATIONS OR PUBLISH APPROPRIATE NOTICES IN TARIFFS

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 1707, 1709, 1714, 1716

CFR Citation: 46 CFR 580; 46 CFR 582

Legal Deadline: None

Abstract: Rule would minimize noncompliance with the requirements to file Anti-Rebate Certifications (46 CFR 582) and to publish anti-rebate provisions in tariffs (46 CFR 580.5(c)(2)).

Timetable:

Action	Date	FR Cite
Begin Review	12/27/87	
End Review	01/00/89	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AB09

FEDERAL MARITIME COMMISSION (FMC) — Proposed Rule Stage

3755. PRACTICES OF OCEAN COMMON CARRIERS REGARDING EFFECTIVE DATE OF RATE CHANGES - DOCKET NO. 88-19

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 1707

CFR Citation: 46 CFR 580

Legal Deadline: None

Abstract: Requested rule would state that tariff rates and rules may not be applicable to cargo that is received by the carrier or its agent prior to the effective date of the tariff provision.

Timetable:

Action	Date	FR Cite
Petition for Rulemaking	12/30/87	52 FR 49205
End Review	06/01/88	
NPRM	08/30/88	53 FR 33153
NPRM Comment Period End	10/14/88	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AB04

FEDERAL MARITIME COMMISSION (FMC) — Final Rule Stage

3756. ● SERVICE CONTRACT REGULATION AMENDMENT TO PERMIT CORRECTION OF CLERICAL OR ADMINISTRATIVE ERRORS IN ESSENTIAL TERMS--DOCKET NO. 88-16

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 1702, 1706, 1707, 1709, 1712, 1714, 1715, 1716, 1718

CFR Citation: 46 CFR 581.7(a)

Legal Deadline: None

Abstract: Rule would amend Service Contract regulation to permit correction of clerical or administrative errors in essential terms.

Timetable:

Action	Date	FR Cite
NPRM	06/24/88	53 FR 23776
NPRM Comment Period End	08/24/88	53 FR 26091
Final Action	06/00/89	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AB08

3757. ● INTERPRETIVE RULE THAT CARRIERS OR CONFERENCES MAY NOT REQUIRE PRODUCTION OF JUSTICE DEPARTMENT BUSINESS REVIEW LETTER AS PART OF SERVICE CONTRACT NEGOTIATION PROCESS WITH SHIPPERS ASSOCIATION

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 1706, 1707, 1709 and 1716

CFR Citation: 46 CFR 571, (New)

Legal Deadline: None

Abstract: Docket No. 88-17. Rule is intended to help eliminate unnecessary impediments to the operation of shippers associations and the negotiation of service contracts.

FMC **Final Rule Stage**

Timetable:

Action	Date	FR Cite
NPRM	07/19/88	53 FR 27178
NPRM Comment Period End	08/18/88	53 FR 27178
Final Action	06/00/89	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AB10

FEDERAL MARITIME COMMISSION (FMC) — Completed Actions

3758. PUBLIC INFORMATION - FREEDOM OF INFORMATION ACT

Legal Authority: 5 USC 552(b)(4); 46 USC app 841(a)

CFR Citation: 46 CFR 503

Legal Deadline: None

Abstract: Amendments to current rules governing treatment of FOIA requests will provide for notification to filers of "business confidential" information to permit responses before a decision to release or not to release information requested under the Act.

Timetable:

Action	Date	FR Cite
Withdrawn Rule Unnecessary	06/01/88	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AA12

3759. INFORMATION REQUIRED FOR SECTION 18 STUDY

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 1714; 46 USC app 1716; 46 USC app 1717(a)

CFR Citation: 46 CFR (New)

Legal Deadline: Other, Statutory, September 20, 1989.
Legal deadline applies to information to be compiled, not necessarily by a rulemaking.

Abstract: Section 18(a) of the Shipping Act of 1984 requires the Commission to collect information concerning the impact of the Act upon the international ocean shipping industry for a period of 5 years ending on March 20, 1989. To the extent such data are not available, this review will consider Commission rules or orders to develop such information from the regulated industry.

Timetable:

Action	Date	FR Cite
Begin Review	09/01/84	
Withdrawn Rule Unnecessary	06/01/88	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AA50

3760. INDEPENDENT ACTION - MISCELLANEOUS PROVISIONS

Legal Authority: 46 USC 553; 46 USC app 1704; 46 USC app 1709; 46 USC app 1716

CFR Citation: 46 CFR 572

Legal Deadline: None

Abstract: Section 5(b)(8) of the Shipping Act of 1984 requires that conference members be allowed to take independent rate action under certain conditions. The Commission is considering a rule to require accurate reporting and to clarify other situations with regard to this statutory right.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	
Withdrawn Rule Unnecessary	06/01/88	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AA53

3761. INFORMATION FORM FOR AGREEMENTS: MISCELLANEOUS AMENDMENTS

Legal Authority: 5 USC 553; 46 USC app 1703 to 1705; 46 USC app 1716

CFR Citation: 46 CFR 572.405; 46 CFR 572, Appendix A

Legal Deadline: None

Abstract: The information form that must accompany certain types of agreements filed under 46 CFR Part 572 may need to be amended to ensure Commission jurisdiction and to show the affiliates of the filing parties.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	
Withdrawn Rule Unnecessary	06/01/88	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AA55

3762. COMMON AND CONTRACT CARRIAGE - MISCELLANEOUS PROVISION

Legal Authority: 5 USC 553; 46 USC app 801; 46 USC app 841a; 46 USC app 1702; 46 USC app 1716

CFR Citation: 46 CFR 510; 46 CFR 515; 46 CFR 525; 46 CFR 550; 46 CFR 552; 46 CFR 553; 46 CFR 560; 46 CFR 572; 46 CFR 580

Legal Deadline: None

Abstract: This review will attempt to clarify the status of common carriers vis-a-vis contract carriers and provide reasonable regulations for operations by common carriers subject to the shipping statutes.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	
Withdrawn Rule Unnecessary	08/15/88	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AA63

3763. TARIFF PUBLICATION OF FREE TIME AND DETENTION CHARGES APPLICABLE TO CARRIER EQUIPMENT INTERCHANGED WITH SHIPPERS OR THEIR AGENTS (DOCKET 85-19)

Legal Authority: 5 USC 553; 46 USC app 817(a); 46 USC app 841a; 46 USC app 844; 46 USC app 1707; 46 USC app 1708; 46 USC app 1709; 46 USC app 1716

CFR Citation: 46 CFR 550.5; 46 CFR 580.5; 46 CFR 580.7

Legal Deadline: None

Abstract: Docket 85-19 - Clarification of requirement that terms and conditions, including free time and detention, governing use of carrier-provided equipment by shippers or their agents be published in tariffs and service contracts. (Formal Rulemaking)

Timetable:

Action	Date	FR Cite
NPRM	08/08/85	50 FR 32097
NPRM Comment Period End	09/23/85	50 FR 32097
Final Action Effective Date Stayed	02/26/88	53 FR 5770

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AA73

3764. FINANCIAL RESPONSIBILITY OF PASSENGER VESSEL OPERATORS FOR NON-PERFORMANCE

Legal Authority: 5 USC 553; 46 USC app 817e; 46 USC app 841a; 46 USC app 1716

CFR Citation: 46 CFR 540

Legal Deadline: None

Abstract: Review would attempt to develop a formula for the amount of bond required to ensure financial responsibility of passenger vessel operators for non-performance.

Timetable:

Action	Date	FR Cite
Begin Review	01/10/86	
Withdrawn - Rule Unnecessary	08/22/88	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AA78

3765. PRACTICES OF COMMON CARRIERS REGARDING PAYMENT OF INLAND DIVISIONS PETITION FOR RULEMAKING

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 1709; 46 USC app 1716

CFR Citation: 46 CFR Chapter IV

Legal Deadline: None

Abstract: This petition for rulemaking seeks a requirement that ocean common carriers timely pay over inland divisions to surface carriers participating in through movements.

Timetable:

Action	Date	FR Cite
Notice of Filing of Petition for Rulemaking	06/25/87	52 FR 23890
Final Action - Petition Denied	05/05/88	
Final Action Effective	05/05/88	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AA99

3766. SERVICE CONTRACTS - MOST FAVORED SHIPPER AND LIQUIDATED DAMAGES PROVISIONS - PETITION FOR RULEMAKING

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 1707; 46 USC app 1716

CFR Citation: 46 CFR 581

Legal Deadline: None

Abstract: This petition for rulemaking seeks a regulation prohibiting most favored shipper clauses and de minimis liquidated damage clauses in service contracts.

Timetable:

Action	Date	FR Cite
Notice of Filing of Petition for Rulemaking	01/22/87	52 FR 2443
Extend Time for Comments to 02/27/87	02/11/87	52 FR 4384
Withdrawn Identical To RIN 3072-AA95	08/17/88	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AB00

3767. SECTION 16 EXEMPTION OF AGREEMENT BETWEEN OR AMONG PARENT OR ITS SUBSIDIARIES

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 1715

CFR Citation: 46 CFR 572.301

Legal Deadline: None

Abstract: Requested action would exempt agreements by, between, or among ocean common carriers or marine terminal operators and their subsidiaries. Docket No. 88-8

Timetable:

Action	Date	FR Cite
Petition for Rulemaking	12/27/87	52 FR 48879

Action	Date	FR Cite
Enlargement of Scope	01/28/88	53 FR 2537
Final Action	04/05/88	53 FR 11072
Final Action Effective	04/05/88	53 FR 11072
End Review	06/00/88	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AB06

3768. TRUCK DETENTION CHARGES AT WEST COAST PORTS

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 816; 46 USC app 841a; 46 USC app 1709; 46 USC app 1716

CFR Citation: 46 CFR 530

Legal Deadline: None

Abstract: Requested action would set truck detention charges at the ports of Los Angeles, Long Beach, San Francisco, Oakland and San Diego, California.

Timetable:

Action	Date	FR Cite
Petition for Rulemaking	11/30/87	52 FR 45499
Enlargement of time for comments to February 22, 1988	12/29/87	52 FR 49086
Further Enlargement to March 7, 1988	02/19/88	53 FR 5041
Second Petition for Rulemaking	03/18/88	53 FR 8976
Final Action Petitions Denied	07/18/88	
Final Action Effective	07/18/88	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L St., NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AB07

3769. ● DELETION OF REQUIREMENTS FOR JOINDER OF CONFERENCES IN SPECIAL DOCKET APPLICATIONS AND OTHER CHANGES TO THE RULES OF PRACTICE AND PROCEDURE – DOCKET NO. 88-10

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 1716(a)

CFR Citation: 46 CFR 502.92; 46 CFR 502 Ex No. 1 to Subpart K

Legal Deadline: None

Abstract: The action also clarifies language regarding designation of the appropriate tariff for notice purposes.

Timetable:

Action	Date	FR Cite
NPRM	04/14/88	53 FR 12440
NPRM Comment Period End	05/16/88	53 FR 12440
Final Action	07/25/88	53 FR 27859
Final Action Effective	08/24/88	53 FR 27859

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072–AB11

3770. ● DESIGNATION OF OFFICER TO RECEIVE PETITIONS FOR REVIEW OF COMMISSION ORDERS – DOCKET NO. 88-12

Significance: Agency Priority

Legal Authority: 5 USC 553; 28 USC 2112(a)(2)

CFR Citation: 46 CFR 502.2

Legal Deadline: Final, Statutory, July 6, 1988.

Abstract: The "race to the courthouse" amendment to 28 USC 2112(a)(2) requires each agency to designate the Office and the officer who must receive petitions for review. This rule designates the Commission's Office of General Counsel and General Counsel, respectively.

Timetable:

Action	Date	FR Cite
Final Action	04/22/88	53 FR 13270
Final Action Effective	04/22/88	53 FR 13270

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert D. Bourgoin, General Counsel, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5740

RIN: 3072–AB12

[FR Doc. 88-20685 Filed 10-21-88; 8:45 am]

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